

Attorney Docket No. P11547

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 1 and 15, and claim 16 has been previously canceled. Accordingly, claims 1-15 and 17-25 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 102(e)

The Examiner rejected claims 1-25 under 35 U.S.C. § 102(e) as being anticipated by Tornqvist, et al. (US 6,055,424). The Applicants have amended the claims to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

Specifically, the Applicants have amended claims 1 and 15 to clearly delineate that it is the system that is adapted to send a plurality of active calls to the mobile unit. To the extent that, this rejection still applies to the amended claims, the Applicants respectfully traverse this rejection.

As explained on page 2 of the present Application:

The GSM communication system also offers packet switched data services as the GPRS (General Packet Radio Service). However, there are still shortcomings in the setup of several calls in parallel, as it is still not possible for example to do an active speech call, Internet browsing, and the reception of a fax at the same time. The UMTS (Universal Mobile Telecommunications System) communication system is capable of handing several calls to one mobile user equipment, the so-called multiple call capability.

not in claim

Tornqvist appears to describe a mechanism for effecting supplementary services in a GSM communications system. (Col. 3, lines 14-20, Col. 5, lines 43-45). It is well known that GSM systems do not have "multi-call capability." In contrast, Tornqvist appears to allow multiple ITAP sessions (Tornqvist, col. 18, lines 18-19). However, sessions are not the same as calls. A "session" is an active communication, measured from beginning to end, between devices or applications over a network. On the other

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hand, a "call" is a connection between two stations which allows the actual transmission of call information (as opposed to signaling information or control signals).

There may be confusion between multi-call capacity and what is offered through supplementary services. For instance, call waiting is a service for offering a call to be accepted as an active call. A call offered as a "waiting" is not through connected end-to-end but is connected from a first end to a switch. The switch does not through connect it but instead signals to the second end that a call is offered as a waiting call. A waiting call cannot be used for the transfer of information as speech or data unless it is accepted and converted into an "active call." In contrast, an active call is a call that is through connected end-to-end and can be used for the transmission of information by a telecommunication service.

As used in the application, the term "multiple call" is a situation that allows the set up a plurality of active calls in parallel, i.e. one end user can have more than one call end-to-end through connected at the same time. For example one user can have an active speech connection while at the same time receiving a facsimile and downloading a web page.

Thus, Tornqvist does not anticipate claims 1 or 15 because Tornqvist does not allow multiple call capability as clearly specified in claims 1 and 15. For instance, claim 1 states: "requesting a set-up of an additional call while the number n active calls with m different bearer capabilities associated thereto is set up." This step cannot be accomplished in Tornqvist because there is no capacity to set up an *additional* call.

Claim 1 also states "deciding whether to set up the additional call in parallel, to set up the additional call by choosing one call to be put on hold and by using a bearer associated with the one call put on hold to service the additional call, or to reject a set up of the additional call." In contrast, Tornqvist cannot decide whether to set up the additional call in parallel" because that is beyond the capacity of the system described in Tornqvist.

Thus, one or more of the recited features of claim 1 are not disclosed in Tornqvist. Therefore, the withdrawal of the rejections under § 102 for claim 15 is respectfully requested.

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Claim 15 is patentable for the same reasons that claim 1 is patentable. Claims 2-14, and 16-28 depend from amended claims 1 and 15, and recite further limitations in combination with the novel elements of claims 1 and 15. Therefore, the allowance of these claims is also respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 102(a)

The Examiner rejected claim 1 under 35 U.S.C. § 102(a) as being anticipated by Hietalahti (WO 96/08937). The Applicants have amended claim 1 to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

Specifically, the Applicants have amended claim 1 to clearly delineate that the system is adapted to send a plurality of active calls to the mobile unit. To the extent that this rejection still applies to the amended claims, the Applicants respectfully traverse this rejection.

Hietalahti appears to describe GSM specification 04.83, section 1.1 which defines the signaling sequence for a call waiting service. However, as explained previously, call waiting is not the same as the ability to handle multiple active calls. In call waiting, the switch does not through connect through to the second end but instead signals to the second end that a call is offered as a waiting call. A waiting call cannot be used for the transfer of information as speech or data unless it is accepted and converted into an "active call." In contrast, an active call is a call that is through connected end-to-end and can be used for the transmission of information by a telecommunication service. Thus, Hietalahti also does not describe parallel or multi-call capability.

Thus, one or more of the recited features of claim 1 are not disclosed in Hietalahti. Therefore, the withdrawal of the rejection under § 102 for claim 1 is respectfully requested.

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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and Issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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